

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

CLAUDE R. KNIGHT and  
CLAUDIA STEVENS, individually  
and as Personal Representatives of  
the Estate of Betty Erelene Knight, deceased,

Plaintiffs,

v.

CIVIL ACTION NO. 3:15-6424

BOEHRINGER INGELHEIM  
PHARMACEUTICALS, INC.

Defendant.

**ORDER**

The Court **GRANTS**, as unopposed, Defendant Boehringer Ingelheim Pharmaceuticals, Inc.'s Motion in Limine No. 5 to Exclude Evidence, Testimony, and Argument Regarding "Black Box" Warnings (ECF No. 67) and the Motion in Limine No. 7 to Exclude the Opinions of Dr. Brian Harvey (ECF No. 69).

At the May 15, 2018 motion hearing, the Court expects the parties to address cross motions for summary judgment (ECF Nos. 42 and 44) and as pertinent to these motions, the following additional motions: Defendant's Motion to Exclude Case-Specific Testimony of Dr. Hazem Ashhab (ECF No. 45); Defendant's Motion in Limine No. 3 to Exclude Evidence, Testimony, or Argument Related to Foreign Regulatory Actions, Foreign Labeling Materials and Company Core Data Sheet (ECF No. 65); Defendant's Motion to Exclude Evidence and Argument Regarding Lack of a Reversal Agent (ECF No. 66); and Defendant's Motion in Limine No. 6 to Exclude

Evidence and Argument Regarding Plasma Concentration Levels (ECF No. 68). In addition, the Court will expect an update as to settlement negotiations and trial logistics, and will address the parties Motion on Pre-trial Activity (ECF No. 61).

The Court reschedules the May 21, 2018 pretrial conference to begin at **10:00 a.m.** In addition to matters arising from the proposed integrated pretrial order to be submitted, the Court will hear argument on the following remaining motions: Defendant's Omnibus Motion to Exclude Omnibus Motion to Exclude the Opinions of Plaintiff's General Experts (ECF No. 47); Defendant's Motion in Limine No. 1 to Exclude Evidence, Testimony, and Argument Regarding Alleged Spoliation Issues MDL Discovery Sanctions, and other Litigation (ECF No. 63); Plaintiffs' Motion for Spoliation Finding and Adverse Inference Charge (ECF No. 71); Defendant's Motion in Limine No. 2 to Exclude Evidence, Testimony, and Argument on Financial Metrics (ECF No. 64); and Plaintiffs' Omnibus Motion in Limine (ECF No. 73).

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: May 9, 2018

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE